

enjoyed broad support. One such measure would have helped facilitate Customs Service clearance of athletes that participate in world athletic events, such as the upcoming Women's World Cup, the Winter Olympic Games in Salt Lake City, Utah, and the International Special Olympics. Another measure would have corrected certain outdated references in the trade laws.

For each of the provisions included in this bill, we had solicited comments from the public and from the Administration to ensure that there was no controversy or opposition. Only those measures that were non-controversial and that had no opposition were included in the bill.

The failure of this bill is also disappointing because of the amount of time and effort that the staff put into preparing this extremely technical piece of legislation. That is why I would like to give special thanks to Faryar Shirzad, Linda Menghetti, Tim Keeler, Lisa Lee, Marsha Moke, Matthew Sorenson, Bruce Anderson, Bob Merulla and Myrtle Agent from the Finance Committee staff, Polly Craighill, from the Office of Legislative Counsel, and Hester Grippando from the Congressional Budget Office, for their extensive work on this legislation.●

● Mr. BENNETT. Mr. President, I rise today to commend Senator D'AMATO, the Chairman of the Banking Committee, for his diligence in bringing this legislation dealing with credit unions to the floor in a timely manner. Although I have concerns with the commercial lending provisions in the legislation, I do support the underlying bill.

I do have one question, however for the Chairman of the Banking Committee relating to the community credit union provisions in the act. Specifically, I am concerned with the way that the National Credit Union Administration (NCUA) will design their regulations dealing with the size and scope of community credit unions. Although I had initially intended to offer an amendment limiting the size of a federally-chartered community credit union to three or four contiguous census tracts, after discussing the matter with the Chairman I decided that my amendment would be unnecessary.

Mr. D'AMATO. I commend the Senator from Utah for his interest in this issue and thank him for refraining from offering this amendment. The Senator is quite correct when he states that his amendment would be unnecessary. The Banking Committee was very careful and direct in its instructions to the NCUA in Section 103 of the legislation, where the NCUA is instructed to define a "well-defined local community, neighborhood, or rural district."

Additionally, in the Committee's report, language was inserted to make this point especially clear. The Committee intends for the NCUA to limit federally-chartered community credit unions to be subject to well-defined, local, geographic expansion limits.

Mr. BENNETT. I thank the Chairman for his clarification on this issue. As I

said previously, I had intended to offer an amendment on this issue, but I am satisfied by the Committee's report and by the remarks of the Chairman that such an amendment would be redundant and unnecessary.●

THE HAITIAN REFUGEE IMMIGRATION FAIRNESS ACT

● Mr. KENNEDY. Mr. President, it is a privilege to join Senator GRAHAM, Senator MACK, Senator ABRAHAM and our other distinguished colleagues in supporting the Haitian Refugee Immigration Fairness Act. Last year Congress enacted the Nicaraguan Adjustment and Central American Relief Act, which enabled Nicaraguan and Cuban refugees to remain permanently in the United States as immigrants.

Haitian refugees deserve no less.

These refugees have seen their relatives, friends and neighbors jailed, or murdered, or abducted in the middle of the night and never seen again. They have fled from decades of violence and brutal repression by the Ton Ton Macoutes, and later by the military regime which overthrew the first democratically elected president of Haiti.

The people of Haiti have struggled long and hard to establish a democracy in their nation. They endured repression and suffered persecution at the hands of successive governments. Haitians supporting democracy have faced torture, extra-judicial killings, imprisonment, and other forms of persecution. The State Department has documented these and other gross violations of human rights.

The Bush administration found that the vast majority of Haitian refugees were fleeing from political persecution. Thousands of these Haitians were paroled into the United States after establishing a credible fear of persecution. Many others filed bona fide applications for asylum upon arrival in the United States.

This legislation will enable Haitians to apply for adjustment of status if prior to December 31, 1995, they were paroled into the U.S., under any of the parole classifications, or filed for asylum. Additionally, as a result of an amendment proposed by Senator ABRAHAM and I, a significant number of unaccompanied children and orphans who did not have the capacity to apply for asylum for themselves will also be eligible to apply for adjustment of status.

Like other political refugees, Haitians have come to this country with a strong love of freedom and a strong commitment to democracy. They have settled in many parts of the United States. They have established deep roots in our communities, and their children born here are U.S. citizens. Wherever they have settled, they have made lasting contributions to the economic vitality and diversity of our communities and the nation.

This issue is about basic fairness. The United States has a long and noble tradition of providing safe haven to ref-

ugees. Over the years, we have enacted legislation to guarantee that Hungarians, Cubans, Yugoslavs, Vietnamese, Laotians, Cambodians, Poles, Chinese, and many other refugees will not be sent back to unstable or repressive regimes.

Last year, we adopted legislation to protect Nicaraguans and Cubans. But Haitians were unfairly excluded from that bill. The time has come for Congress to end the bigotry. We must remedy this flagrant omission and add Haitians to the list of deserving refugees.

By approving the Haitian Refugee Immigration Fairness Act, we can finally bring to an end the shameful decades of unjust treatment of Haitians. As the decisions of federal judges over the past two decades make clear, Haitians are treated with blatant discrimination under our immigration laws. Throughout the 1980's, less than 2 percent of Haitians fleeing the atrocities committed by the Duvalier regime were granted asylum. Yet, other refugee groups had approval rates as high as 75 percent.

Haitian asylum seekers were detained by the Immigration and Naturalization Service, but asylum seekers from other countries were routinely released while their asylum applications were processed. Until recently, Haitians have been the only group intercepted on the high seas and forcibly returned to their home country, without even the opportunity to seek asylum. We welcomed boat people from Cuba, Vietnam and other parts of the world. But for years, we picked up Haitians on the high seas and sent them back to Haiti, in violation of international refugee laws.

This Congress has the opportunity to right the shameful wrongs that Haitian refugees have suffered. We have before us a bill that offers full protection of our laws to these victims of persecution in their fight for democracy. The call for democracy is being heard around the world, and America's voice has always been the loudest. How can we advocate democracy on the one hand, and then deny protection to those who heed our call and are forced to flee their homeland as a result?

The struggle for democracy is often dangerous and life threatening. Ask Nestilia Robergeau, who knows first hand the high price of supporting democracy on Haiti. She and her brother started a youth group in support of Haiti's democratically elected President, Jean Bertrand Aristide. After a military coup ousted President Aristide, her brother was murdered by the military, and she went into hiding in the woods around her village until she could escape from Haiti in a small boat. Today, she lives in Atlanta and holds two jobs. She is active in her local church, and hopes to be a nurse. Last year, she told the Subcommittee on Immigration that ever since she arrived in the United States, she has lived in fear of being sent back to Haiti.

Even the youngest Haitian refugees live in fear of being returned to Haiti. Ask Louisiana, a sixth grader at West Homestead Elementary School in Miami. She fled to the United States with her aunt, after her father, a pro-democracy activist, was murdered by the Haitian military. Last winter, Louisiana told us that she was terrified that she will be sent back to Haiti. She is terrified that the same people who killed her father will come after her in Haiti. She asked us to please pass a law that will let her stay in the United States, where she is safe.

Ask Mr. H in Massachusetts, a journalist in Haiti who criticized the Haitian military government, and was repeatedly arrested for his outspoken views. Finally, he went into hiding in Haiti. When soldiers could not find him, they abducted his girlfriend, brutally beat her, and dumped her by the

side of the road to die. But she survived, and she and Mr. H escaped by boat. They were picked up by the Coast Guard, and brought to the United States. They married and now live in Massachusetts. Their two children were born here. Yet, Mr. H and his wife could be deported without this legislation.

Congress has a duty to offer the same protection to these Haitians that we have offered over the years to other refugees fleeing from repressive regimes. This bill is about what is fair, what is right, and what is just. We owe it to Louisiana, to Nestilia, and to the thousands of other Haitians forced to flee their homes because they believed in the promise of democracy.

This legislation has strong bipartisan support. It is supported by a wide range of nationwide organizations, including the Americans for Tax Reform, U.S.

Catholic Conference, the Church World Service, the American Baptist Churches, the Mennonite Central Committee, the Council of Jewish Federations, the Lutheran Immigration Refugee Service, the United Methodist General Board of Church and Society, the Presbyterian Church (USA) and many, many more. As Jack Kemp wrote to Congress earlier this year "This issue presents a chance to do the right thing by rectifying an omission in last year's bill, and to uphold our nation's tradition of accepting refugees."

We should do all we can to end the current flagrant discrimination under the immigration laws. Haitian refugees deserve protection too—the same protection we gave to Nicaraguans and Cubans last year. We need to pay more than lipservice to the fundamental principle of equal protection of the laws.●